

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF:

JOSEPH CEBULA,

Complainant,

and

JAMO HI-FI USA, INC.,

Respondent.

CHARGE NO(S): 2000CA3069

EEOC NO(S): 21BA02496

ALS NO(S): 11641

NOTICE

You are hereby notified that the Illinois Human Rights Commission has not received timely exceptions to the Recommended Order and Decision in the above named case. Accordingly, pursuant to Section 8A-103(A) and/or 8B-103(A) of the Illinois Human Rights Act and Section 5300.910 of the Commission's Procedural Rules, that Recommended Order and Decision has now become the Order and Decision of the Commission.

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

Entered this 9th day of April 2010

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:)	
)	
JOSEPH CEBULA,)	
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Complainant,)	CHARGE NO. 2000CA3069
)	ALS NO. 11641
AND)	EEOC No. 21BA02496
)	
JAMO HI-FI USA, INC.,)	
)	
Respondent.)	

RECOMMENDED ORDER AND DECISION

This matter is now ready for consideration of Complainant Joseph Cebula's *Petition for Attorney's Fees* which was filed on April 17, 2008. Respondent, JAMO Hi-Fi USA, Inc., has failed to file a response to that petition despite its registered agent having been served with a June 10, 2008 order which gave Respondent sixty (60) days to respond. That order was also served upon Respondent's last known corporate address of record but was returned to the Human Rights Commission's Chicago offices by the U.S. Postal Service and marked as undeliverable. Respondent's attorney's *Motion to Withdraw* was granted pursuant to the June 10, 2008 order. For the reasons stated below, Complainant's fee petition is GRANTED.

FINDINGS OF FACT

1. Complainant, Joseph Cebula, is entitled to attorney's fees and costs in accord with *Recommended Liability Determination* entered in this case.
2. All previous findings of fact found in the *Recommended Liability Determination* are incorporated by reference herein.

3. Complainant's request for attorney's fees and costs set forth in his fee petition was timely filed with the Commission.
4. Respondent failed to file any objections to Complainant's timely filed fee petition.
5. Complainant's counsel, the law firm of Monahan & Cohen, reasonably expended 130.23 hours of time on this matter from January 28, 2002 through April 15, 2008.
6. The hourly rate charged by the firm of Monahan & Cohen for a matter of this nature is \$250.00 which is customary and reasonable for attorneys within the Chicago-area with similar litigation experience and skill.

CONCLUSIONS OF LAW

1. A prevailing complainant may recover reasonable attorney's fees for a reasonable number of hours expended to maintain this action,
2. The current reasonable rate to which an attorney is entitled is the proper rate to be applied to the full fee request, absent an increase in the attorney's standard fee for a reason other than economic forces over time.
3. A respondent's failure to file any objections to a complainant's petition for attorney's fees and costs is deemed a waiver of any objections to the award of fees.

DISCUSSION

Once there has been a finding that a respondent has violated the Human Rights Act and a complainant's damages have been determined, the focus of the remaining inquiry concerns the amount of attorney's fees and costs that should be awarded to the complainant under the Act. See 775 ILCS 5/8A-104(G).

In this case, Complainant Cebula has filed a detailed fee petition which provides a reasonable number of hours (130.23) spent on a matter of this nature. Attached to that fee petition are the affidavits of Paul S. Franciskowicz, Susan Lorraine Kennedy and Patricia K.

Hogan, all licensed Illinois attorneys that work for the firm of Monahan and Cohen and who have worked on the matter at hand. Mr. Franciszkowicz has been a licensed lawyer for fourteen (14) years, Ms. Kennedy for approximately fifteen (15) years and Ms. Hogan for over thirty (30) years. Based on the experience of each, which is laid out in detail in their individual affidavits, a fee of \$250.00 per hour for their work on a case of this type is very reasonable. The hourly rate should generally depend on the experience of the attorney and the type of work involved. *Clark and Champaign National Bank, IHRC, 1978TN0030, July 2, 1982.* Establishing the hourly rate may be done in a number of ways, including the submission of affidavits reciting the precise fees that attorneys with similar qualifications have received from paying clients in comparable cases, or affidavits showing evidence of the actual billing practice during the relevant time period. *Tolbert v. Fraternal Order of Eagles Olney Aerie, IHRC, S-12132, July 7, 2005.* Indeed, the actual rate that a complainant's attorney can command in the market place is highly relevant proof of prevailing community standards. In addition, the Commission has previously approved the rate of \$300.00 per hour in other cases for attorneys in private practice with similar litigation experience and skill. *Ginn and Grayline Tours D/B/A AME, IHRC, 11183, November 17, 2005.* See also, *Raila and Domino's Pizza, Inc., IHRC, 12016, March 30, 2007.* Based on the above and because Respondent has failed to file objections of any kind to Complainant's petition for fees and costs in this matter, there is no reason to question the reasonableness of Complainant's petition.

RECOMMENDATION

Based on the foregoing, it is hereby recommended that:

1. Respondent be ordered to pay Complainant a total of \$32,861.30 as attorney's fees in this matter.

2. Complainant receive all other relief recommended in the Recommended Liability Determination.

ENTERED: JULY 22nd, 2009

HUMAN RIGHTS COMMISSION

**MARIETTE LINDT
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION**

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:)	
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JOSEPH CEBULA,)	
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Complainant,)	ALS No. 11641
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JAMO HI-FI USA, INC.,)	
)	
Respondent.)	

RECOMMENDED LIABILITY DETERMINATION

A public hearing in this matter was held on September 28, 2004. Both parties were represented by counsel. The matter is now ready for decision.

FINDINGS OF FACT

The following findings of fact are based upon the public hearing in this matter. The record consists of one hundred and eighty four (184) pages of transcript and any exhibits admitted into evidence during the hearing. Factual assertions made at the public hearing, but not addressed in these findings, were determined to be unproven by a preponderance of the evidence or were otherwise immaterial to the issues at hand. Any citations to the public hearing record are indicated as "Tr. page ____" Any joint exhibits admitted into evidence are denoted "JX- #," Complainant's exhibits are denoted "CX-#" and Respondent's exhibits are denoted "RX-#".

1. Joseph Cebula (Complainant or Cebula) filed Charge No. 2000CA3069 with the Illinois Department of Human Rights on June 29, 2000.

2. On October 24, 2001, the Illinois Department of Human Rights filed a Complaint of Civil Rights Violation (complaint) with the Illinois Human Rights Commission on behalf of Cebula. That complaint alleges that Respondent retaliated against Complainant by terminating him after he complained of unlawful age and disability discrimination.
3. Respondent filed its *Verified Answer* to the complaint on December 11, 2001 and denies that it unlawfully retaliated against Complainant for opposing age and disability discrimination.
4. Respondent's defense in this matter is that it terminated Complainant for excessive absenteeism and taking unauthorized vacation leave.
5. Respondent hired Complainant in August of 1990 as a Warehouse / Service man.
6. In 2000, Complainant was Respondent's Service Manager.
7. Respondent discharged Complainant from its employment on January 12, 2000.
8. At the time Complainant was employed by Respondent he was married to his wife Diane. As of the date of the public hearing, Complainant and his wife were married thirty-six (36) years.
9. From 1990 to 1998, Complainant's job responsibilities included repair of speakers, running the warehouse, technical correspondence, handling dealers and shipping speakers.
10. From 1990 to 1998, Complainant was the only technician hired to fix speakers.
11. From 1990 to 1998, Complainant had no discipline or performance problems with Respondent.

12. While working for Respondent, Complainant's regular schedule was Monday through Friday, 8:00 a.m. to 4:00 p.m.
13. Helge Fischer (Fischer) is Respondent's founder and Vice President and Managing Director.
14. Fischer hired Complainant in 1990.
15. Mid-year of 1998, Complainant's wife developed breast cancer.
16. Due to his wife's need for medical treatment for the cancer, during week days, Complainant needed permission for time off from work to drive her back and forth for treatments.
17. Complainant told Fischer about his wife's condition. Specifically, Complainant explained to Fischer that his wife had breast cancer and that it had spread to her bones.
18. From 1990 through 1998, Respondent did not have a written policy regarding sick and vacation time. If Complainant was sick, he simply would telephone Helge Fischer to let him know. If Complainant wanted vacation time, he would simply ask Helge Fischer for permission.
19. From mid-1998 to 1999, Complainant spoke many times to Fischer regarding his need to take vacation and sick time due to his wife's illness.
20. At no time prior to November 1999 was Complainant disciplined for taking off too much time for helping his wife due to her medical condition.
21. At no time prior to November 1999 did Respondent indicate to Complainant that he had violated any policy it had related to sick time.
22. Peter Nielson was hired by Fischer to work in the warehouse.
23. In November of 1999, Fischer told Complainant that Nielsen was Complainant's manager and that he would have to ask Nielsen for all approved time off from work.

24. At no time prior to November 1999 did Fischer tell Complainant that he had taken unauthorized time from work for his wife's illness or had been insubordinate.
25. On November 30, 1999, Complainant had a meeting with Fischer and Nielsen in Fischer's office regarding Complainant taking any additional sick and vacation time for the year 2000. Fischer indicated that Complainant would have six (6) days for sick time in 2000.
26. Due to Complainant's tenure, Respondent provided Complainant with two (2) weeks vacation time for the year 2000.
27. During the meeting of November 30, 1999, Fischer told Complainant that for any future time off from work, Complainant would have to get the time approved by Nielsen who was going to be Complainant's new supervisor.
28. Fischer summarized the discussions of the November 30, 1999 meeting in a memo to Cebula and Nielsen dated 11/30/1999 at 11:37 a.m. RX-2.
29. Respondent had approved the forty-five (45) days that Complainant took off from work in 1999, mostly for the purpose of his wife's illness. Those forty-five (45) days were paid days off for Complainant.
30. In December of 1999, Complainant had a conversation with Nielsen regarding Complainant taking a one (1) week vacation in early January. Complainant told Nielsen that he planned to take his wife to Disney World in Florida. Nielsen stated that it would not be a problem because there would not be much of anything going on at Respondent as Nielsen, Fischer and others would be attending the Consumer Electronics Show in Las Vegas.
31. Complainant's vacation time request coincided with the Consumer Electronics Show in Las Vegas.

32. Fischer, Stout, Nielsen and some of Respondent's sales representatives were some of Respondent's employees who attended the Consumer Electronics Show. Complainant was not one of the employees invited to attend that show.
33. In 1999, Fischer was the person with authority to hire and fire employees.
34. On January 7, 2000, Complainant typed a note to Fischer which read as follows: *"Per Peter Nielsen's approval; I am taking vacation Jan. 10 through Jan. 14, 2000. See you Monday on Jan. 17, 2000. Best regards, Joe."* CX-1.
35. Complainant did not take more vacation time than was allotted to him in January of 2000.
36. Prior to Complainant's termination of employment from Respondent, Complainant spoke to Illinois attorney Joseph Monahan regarding Respondent's alleged harassment of Complainant.
37. Per Complainant's request, on January 10, 2000, attorney Monahan mailed and faxed a letter to Respondent alleging that Complainant was being made a victim of unlawful age discrimination. CX-2.
38. On January 12, 2000, Helge Fisher sent a termination to Complainant. In that letter, Fisher cited the basis of Complainant's termination as being that he "took forty-five (45) sick/vacation days in 1999, which was aggravated by the fact you took 3 days plus off in December after you were warned about your excessive absenteeism, last warning being 11/30/99. In addition, I discovered that you took unauthorized vacation this week 1/10-1/14/00." Fisher's letter further stated that, "If you have any personal property at our location in Buffalo Grove, please let your lawyer know and we will send it to you via UPS." CX-3.

39. On January 12, 2000, at the time Helge Fisher wrote the letter to Complainant terminating him from employment, Fisher already had knowledge of the January 10, 2000 letter to Respondent from the law firm of Monahan & Cohen regarding Complainant's concerns.
40. Complainant's vacation from January 10, 2000 through January 14, 2000 was not an unauthorized vacation.
41. Respondent paid Complainant an annual salary of approximately \$40,000 just prior to Complainant's termination from employment.
42. After Complainant was terminated he made payments to COBRA of approximately \$325 per month for eighteen (18) months.
43. After the eighteen (18) month COBRA period ended, Complainant purchased health insurance from Blue Cross/Blue Shield at a cost of approximately \$625 per month for an additional eighteen (18) months.
44. After his termination of employment by Respondent, Complainant received approximately \$7,200 in unemployment benefits from the State of Illinois over a sixth (6th) month period.

CONCLUSIONS OF LAW

1. Complainant Cebula was an *employee* as that term is defined by the Illinois Human Rights Act. 775 ILCS 5/2-101(A).
2. Respondent, Jamo Hi-Fi USA, Inc., is an *employer* as that term is defined by the Illinois Human Rights Act. 775 ILCS 5/2-101(B).
3. The Commission has jurisdiction over the parties and the subject matter of this action.
4. Complainant has established by a preponderance of the evidence that Respondent discharged him from employment in retaliation for opposing

what he in good faith perceived to be age discrimination, as the term *retaliation* is defined under the Illinois Human Rights Act.

DISCUSSION

Under the Illinois Human Rights Act, 775 ILCS 5/6-101(A), it is a civil rights violation to retaliate against a person because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination. To establish a *prima facie* case of retaliation, a Complainant must prove that: (1) he engaged in protected activity (i.e. either opposing practices forbidden under the Human Rights Act or participating in proceedings or investigations under the Act) that was known by the alleged retaliator; (2) Respondent subsequently took an “adverse action” against the Complainant; and (3) the circumstances indicate a causal connection between the protected activity and the adverse act. *Carter Coal Co. v. Human Rights Com’n*, 261 Ill App.3d 1, 633 NE2d 202 (1994); *Donald Witty and Illinois Dept of Public Health*, IHRC, 4407(S), 1995;

Once Complainant has established a *prima facie* case, the burden is on the Respondent to provide legitimate, non-discriminatory reason for the adverse employment action. If the Respondent meets this burden, the burden then shifts back to the Complainant to prove that the proffered reason is merely pretext for retaliation. *Zaderaka v Illinois Human Rights Commission*, 131 Ill2d 172, 545 NE2d 684 (1989).

In this case, Complainant no doubt “engaged in a protected activity that was known by the alleged retaliator” when his attorney, Joseph T. Monahan, faxed the January 10th letter to Respondent’s management in Denmark (Christian Nielsen, Torben Nielsen and Torben Sorenson) who, in turn, faxed the letter to Helge Fischer, Vice-President. That letter laid out, among other things, a formal

summary to Respondent, citing Complainant's reasons for believing his supervisors were discriminating against him based upon his age. The letter clearly opposed and complained of unlawful age discrimination, specifically, age-based derogatory remarks made by his supervisors and younger workers being treated more favorably than Complainant. Two (2) days later, on January 12, 2000, through a letter written by Helge Fischer and mailed to Complainant's home, Respondent terminated Complainant from its employ.

The timing of Complainant's termination clearly indicates a causal connection between Fischer's receipt of Attorney Monahan's letter and his decision to fire Complainant. There are three (3) ways to establish a causal connection when attempting to establish a *prima facie* case of retaliation: (1) by direct evidence of retaliation; (2) by evidence of unequal treatment of similarly situated persons who did not engage in the protected activity; and (3) by establishing that the time period between the protected activity and the adverse action is short enough to create an inference of connectedness. *Elaine Holtz and Field Container Corp.*, IHRC, 4617, October 17, 1995.

In this case, there is no direct evidence of retaliatory intent nor is there any evidence of unequal treatment of similarly situated persons who did not engage in the protected activity. However, the time period between Respondent's receipt of Attorney Monahan's letter complaining of age discrimination and Complainant's termination was only two (2) days - - clearly creating an inference of a causal connection. *See Holtz*, IHRC 4617 at 10. Thus, Complainant has established a *prima facie* case of retaliation.

As part of its defense, Respondent has provided legitimate, nondiscriminatory reasons for its termination of Complainant. Throughout the public hearing, Respondent pointed to Complainant's excessive absenteeism

after his wife was diagnosed with cancer, an unauthorized vacation that was taken from January 10 through January 14, 2000, and other performance issues. However, through the evidence provided at the public hearing, Complainant has shown that Respondent's reasons for his termination are simply pretext and that Respondent in fact had a retaliatory motive.

For instance, Helge Fischer's credibility was completely diminished during cross examination when, after testifying that he was completely unaware of the contents of Attorney Monahan's letter of January 10th *prior to drafting Complainant's termination letter on January 12th*, Fisher was asked to read aloud the last paragraph of his January 12th letter. That last paragraph reads as follows: "If you have any personal property at our location in Buffalo Grove, please let your lawyer know and we will send it to you via UPS." On redirect, Fischer attempted to explain the inconsistency his testimony and the letter by stating that in the past Cebula had mentioned he had "lawyers," but this administrative law judge finds Fischer's testimony totally unbelievable.

In addition, there is no support in the record whatsoever for Respondent's claim that it had planned to terminate Complainant prior to receipt of Attorney Monahan's letter of January 10th. The letter written by Fischer on January 12th states that the basis for Complainant's termination was that he "took 45 sick/vacation days in 1999, which was aggravated by the fact that you took three (3) days plus off in December after you were warned about excessive absenteeism, last warning being 11/30/99. In addition, I discovered that you took unauthorized vacation this week 1/10-1/14/00." Although Fischer had indeed counseled Complainant on 11/30/99 about Complainant's absenteeism from work and laid out new parameters for time off in December of 1999 and the year 2000 (See RX-2), the 11/30/99 memo from Fischer to Complainant makes crystal

clear that he was giving Complainant the opportunity to improve. This is confirmed by the post script at the end of that memo in which Fischer wrote: "if performance improves within the next 7 months, we will discuss salary and vacation before 7/1/2000." (See RX-2).

After the counseling session on 11/30/99, the evidentiary record shows that the only other time off that Complainant took prior to being terminated on January 12, 2000 was three (3) unpaid personal days in December and vacation time from January 10 through January 14, 2000. Complainant did indeed take three (3) unpaid personal days in December of 1999, however, Fischer's memo of 11/30/99 clearly grants Complainant permission to take personal days in December but indicates that those days would be unpaid by the company. (See RX-2, page 2, paragraph 3). Thus, Complainant was permitted by Fischer to take unpaid personal days in the month of December if he so chose. In fact, Neilsen admitted on cross examination that he gave Cebula permission to take three (3) unpaid days after Cebula asked him for the time off. Therefore, it is simply unreasonable to attribute the three (3) unpaid personal days taken by Cebula as a motivating factor in Respondent's decision to terminate him on January 12, 2000.

Fischer testified at the hearing that Complainant's "unauthorized vacation" from January 10th through January 14th was the "straw that broke the camel's back" and is what prompted him to finally terminate Cebula. This tribunal simply does not believe that Cebula's vacation was "unauthorized" and believes, rather, that it was the January 10th letter from Attorney Monahan which prompted Fischer to terminate Cebula. Fischer testified that because of Cebula's tenure, he was entitled to two (2) weeks vacation. Therefore, Cebula did not take more

vacation time than was allotted to him for the year 2000 when he took those five (5) days in January.

Finally, Fischer's termination letter to Cebula, which specifically lays out the reasons for his termination, makes no mention whatsoever of any of the complaints found in Neilsen's December 19, 1999 memo to Fischer about Cebula. Thus, Fischer's testimony that upon his receipt of the December 19th memo from Neilsen he made the decision to terminate Cebula in January is simply not credible.

The preponderance of the evidence undoubtedly shows that the letter from Attorney Monahan was clearly the motivating factor in Fischer's decision to terminate Complainant.

DAMAGES

The purpose of the damage award is to make the Complainant whole. Under the Human Rights Act, a victim of unlawful discrimination should be placed in the position he would have been in had the discrimination not occurred. Any ambiguity resulting from an inability to determine the precise amount of a back pay award should be resolved against the Respondent, since its actions gave rise to the uncertainty. *Clark v. Human Rights Commission*, 141 Ill. App. 3d 178, 490 N.E. 2d 29 (1st Dist. 1986). In this case, Complainant Cebula provided testimony at the hearing with regard to the damages he suffered due to Respondent's retaliation. Respondent, however, did not cross examine Mr. Cebula nor did Respondent call any witnesses of its own for the damages portion of the public hearing.

Cebula is entitled to a back pay award for the relevant period of time, which is from the time of his termination on January 12, 2000 through September 28, 2004, the last day of the public hearing. On the date of his termination, Cebula's yearly salary was approximately \$40,000. \$40,000 divided by 26 weeks equals \$1,538.46 per two (2)

week pay period. Cebula's termination letter states that Respondent would pay him for the first week of work in January 2000. Because there is no evidence to the contrary in the record, I will assume that Respondent did pay him for that time. \$1,538.46 divided by 2 weeks is \$769.23 per week. Thus, Respondent should pay Cebula \$769.23 for the second week of work in January of 2000 and \$1,538.46 for the remaining two (2) weeks of that month. Cebula should be awarded back pay for the remainder of the year 2000 or 22 pay periods (11 months) which is a sum of \$33,846.12. Additionally, Respondent should pay Cebula \$40,000 for the years 2001, 2002 and 2003 or \$120,000 and for January to September 2004 amounting to \$30,000. The sum of the figures above amounts to \$186,153.81. This figure should be off set by \$7,200, the amount Complainant testified that he received in unemployment benefits from the State of Illinois. Thus, Cebula should be awarded a total back pay amount of \$178,953.81

Complainant should also be reimbursed for his COBRA payments, which he testified that he paid for eighteen (18) months at approximately \$325.00 per month, for a total sum of \$5,850. After the eighteen month COBRA period ended, Complainant further testified that he had to purchase personal health insurance from Blue Cross/Blue Shield at a cost to him of approximately \$625 per month for another eighteen (18) months before Medicare became available to him. Thus, Complainant should also be reimbursed \$11,250 for his personal health insurance payments to Blue Cross/Blue Shield.

"Actual damages" have been interpreted by the Illinois Appellate Court to encompass "compensation for emotional harm and mental suffering." *Village of Bellwood Board of Police and Fire Commissioners v. Human Rights Commission*, 184 Ill App. 3d 339, 541 NE2d 1248, (1st Dist. 1989).

Complainant presented some testimony at the hearing that he felt embarrassed and humiliated after being fired by Respondent. Complainant also testified that he felt

terrible for not being able to support his wife while she was dealing with her cancer diagnosis and treatment. Complainant failed to provide much detail on the extent of his mental suffering and provided no evidence of treatment by a medical professional for his humiliation and distress. Nevertheless, because Complainant's wife had to stop working due to her cancer treatments, it is quite reasonable to conclude that Complainant did indeed suffer some mental distress after being terminated from Respondent's employ. Therefore, an award of \$2,500 is appropriate based on the limited testimony provided by Complainant on this issue.

RECOMMENDATION

Based on the foregoing, this tribunal recommends the following:

1. That the *Complaint of Civil Rights Violation* alleging that Complainant was discharged from Respondent's employ in *retaliation* for opposing what he perceived to be unlawful age and disability discrimination be sustained;
2. That Respondent pay to Complainant \$178,953.81 as back pay;
3. That Respondent reimburse Complainant \$5,850 for the payments he made for COBRA;
4. That Respondent reimburse Complainant \$11,250 for the payments he made for health insurance to Blue Cross/Blue Shield;
5. That Respondent pay to Complainant \$2,500 as damages for his emotional distress;
6. That Complainant's personnel file or any other file kept by Respondent concerning Complainant be purged of any reference to this discrimination charge and this litigation;
7. That Respondent cease and desist from any discriminatory actions with regard to any of its employees and that Respondent, its managers, supervisors and employees are referred to the Department of Human

Rights Training Institute (or any similar program specified by the Department) to receive such training as is necessary to prevent future civil rights violations, with all expenses for such training to be borne by the Respondent;

8. That Respondent pay Complainant's reasonable attorney's fees and costs incurred as a result of the civil rights violation herein;
9. That Complainant's request for attorney's fees and costs be set forth in a petition within 30 days of service of this Recommended Liability Determination. The petition must conform with 56 Ill. Admin. Code Part 5300 Section 765 (5300.765); and
10. That Respondent file any objections to Complainant's petition for attorney's fees and costs within 30 days of service thereof. Failure to file such objections shall be deemed a waiver of any objections to the award of fees.

ENTERED: March 27th, 2008

HUMAN RIGHTS COMMISSION

**MARIETTE LINDT
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE ALW SECTION**